

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 1997-439-T - ORDER NO. 2006-396  
JULY 3, 2006

IN RE: Application of John P. McClain d/b/a Island Moving & Storage, 123 Brady Street, Daniel Island, South Carolina 29492 (District 6) for a Class E (Household Goods) Certificate of Public Convenience and Necessity. ) ORDER APPROVING  
) WITHDRAWAL OF  
) PETITION FOR RULE TO  
) SHOW CAUSE  
)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of the South Carolina Office of Regulatory Staff (ORS) to Withdraw Petition for Rule to Show Cause (Motion to Withdraw) against John P. McClain d/b/a Island Moving & Storage (McClain or the Company).

On May 12, 2006, ORS filed a Petition for Rule to Show Cause (Petition) against McClain, requesting the Commission institute a rule to show cause proceeding against McClain for failure to maintain and file evidence of insurance as required by S.C. Code Ann. § 58-23-910 (Supp. 2005) and 26 S.C. Code Ann. Regs. 103-175 (Supp. 2005). ORS notes that contemporaneously with the Petition, it filed a Motion for Immediate Suspension of Certificate of Public Convenience and Necessity (Motion) of McClain.

ORS states in its Motion to Withdraw that subsequent to its filing of the Petition and Motion, McClain filed with the ORS evidence of sufficient insurance under McClain's d/b/a of Island Moving & Storage. According to ORS, it learned that McClain is an incorporated business in South Carolina, namely Island Moving Professionals, LLC,

and that McClain is in the process of requesting approval from the Commission of the name change and having the Company's insurance carrier reissue a Form E "Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance" in the Company's name of Island Moving Professionals, LLC.

As McClain is essentially in compliance with the requirements of maintaining and filing evidence of insurance, the ORS states that the need for a rule to show cause proceeding has ceased and that the immediate suspension of Certificate of Public Convenience and Necessity has ended as well. Accordingly and in accordance with S.C. Code Ann. § 58-3-225(E), the ORS requests that its pending Petition for a Rule to Show Cause against McClain be withdrawn.

After due consideration of ORS' Motion to Withdraw, the Commission is of the opinion, and so finds, that ORS' Motion to Withdraw should be granted.

IT IS THEREFORE ORDERED:

1. That Motion to Withdraw Petition for Rule to Show Cause against John P. McClain d/b/a Island Moving & Storage of the South Carolina Office of Regulatory Staff is hereby granted.

2. That Petition for Rule to Show Cause against John P. McClain d/b/a Island Moving & Storage is hereby withdrawn.

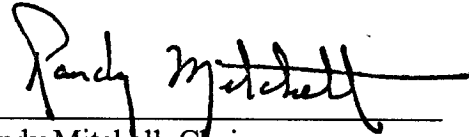
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3. That this Order shall remain in full force and effect until further Order of this Commission.

BY ORDER OF THE COMMISSION:

A handwritten signature in black ink, appearing to read "Randy Mitchell", written over a horizontal line.

Randy Mitchell, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read "G. O'Neal Hamilton", written over a horizontal line.

G. O'Neal Hamilton, Vice Chairman

(SEAL)